

REMARKS/ARGUMENTS

Applicant has reviewed and considered the examiner's rejections of claims 1 - 4 under 35 U.S.C. 103(a) based on the Stricklin patent in view of the Raskas patent and has amended independent claim 1 so as to highlight the structural distinctions between Applicant's invention and those taught in the prior art, namely Applicant's laces being comprised of a pair of single laces. Based on this structural distinction, Applicant contends that her invention was not obvious to a person having ordinary skill in the art at the time the invention was made to combine the laces of Stricklin with the polyester fibers or any suitable material in the manner taught, disclosed and suggested by Raskas to create Applicant's invention.

First, although it is true the Stricklin patent teaches bi-colored teaching shoelaces having opposite end sections which are fabricated from differently colored fabrics which can be readily distinguished by children and the handicapped, the Stricklin shoelaces are "interconnected by the use of separable fasteners allowing the opposite end sections to be readily interchanged to produce a desired color scheme" (column 2, line 36 - 38). The snap fastener is of importance so as to (1) keep the shoelace centered in the shoe since "the snap fastener between the end section will not pass through either of the pair of eyelets" and (2) keep the end sections equal in length at all times" (see column 4, lines 48 - 52). To lace a shoe using the Stricklin laces, "the child or student is instructed to insert the tip portions of [the] shoelace into a first pair of opposed eyelets in the manner shown in Fig. 3 and to draw each respective end section therethrough" (see column 4, lines 43 - 47).

Applicant's invention, on the other hand, teaches bi-colored shoe laces wherein each lace has opposite end sections of differing colors which are *not* interconnected. Rather, each individual lace of Applicant's invention is comprised of a single lace having two oppositely colored end sections (see Fig. 4). The fact that Applicant's bi-colored lace is comprised of a single lace, rather than two interconnected laces, is of great importance as it allows the proper teaching of shoelace tying using laces which resemble conventional laces. For example, when using the Stricklin lace to lace a shoe, a person must insert one section into one side of a first eyelet and another section into the opposite side of a first eyelet as depicted

in Fig. 3. Then, a user snaps the fastening means together. However, because Applicant's lace structurally resembles a conventional lace, a person laces a shoe by inserting one end of Applicant's lace through an eyelet on one side and then through an eyelet on the opposite side, the manner exactly like that used when utilizing conventional laces.

Further, because Applicant's invention utilizes a pair of single laces, as opposed to a pair of sections fastened together to form a lace, Applicant's laces are stronger and more resilient to tugging, pulling and forces typically placed upon laces by individuals learning how to tie one's shoelaces. Because the Stricklin laces utilize a fastening means, there is a possibility of the laces unsnapping upon tugging or pulling.

Second, although it is true the Raskas patent teaches the use of shoe laces which are formed of polyester woven fibers, it would not have been obvious to a person having ordinary skill in the art to make Applicant's invention by combining the polyester woven material of the Raskas patent with the Stricklin laces. If the Stricklin laces were made of polyester woven fibers, Applicant's invention would not have been obvious as the Stricklin laces comprise two ends fastened together to form a lace having two colors whereas Applicant's invention is a pair of single laces having differing colored sections.


In the alternative, it still would not have been obvious to a person having ordinary skill in the art to make Applicant's invention by combining the dual colored aspect of the Stricklin laces with the woven fiber material of the Raskas patent as the laces of the Raskas patent includes a housing (number 28 in Fig. 1) having a power switch wherein the laces extend outwardly from the exterior side of the housing (column 2, lines 59 - 66) whereas Applicant's laces are comprised of a single lace wherein the two halves are permanently secured to one another.

Thus, in both the Stricklin and Raskas patents, even though the inventions teach shoelaces, neither teach a lace which is truly a single lace having two sections of differing color similar to the laces taught by Applicant.

In view of the above amendments and remarks, Applicant believes the examiner will now find this patent application in a position for allowance and its expeditious passage to same is requested.

Should the examiner disagree or have any questions, comments or suggestions that will render this application allowable, a call to the undersigned attorney of record is invited.

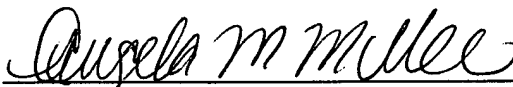
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I HEREBY CERTIFY that the above Response and Amendment is being deposited with the United States Postal Service by first class mail on the 22nd day of June, 2005, addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Legal Assistant